



General Assembly

Amendment

January Session, 2021

LCO No. 10071



Offered by:

REP. FISHBEIN, 90th Dist.

To: Subst. Senate Bill No. **1091**

File No. 617

Cal. No. 515

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING THE DEFINITION OF DOMESTIC VIOLENCE, REVISING STATUTES CONCERNING DOMESTIC VIOLENCE, CHILD CUSTODY, FAMILY RELATIONS MATTER FILINGS AND BIGOTRY OR BIAS CRIMES AND CREATING A PROGRAM TO PROVIDE LEGAL COUNSEL TO INDIGENTS IN RESTRAINING ORDER CASES."

-
- 1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 46b-1 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) Matters within the jurisdiction of the Superior Court deemed to
6 be family relations matters shall be matters affecting or involving: (1)
7 Dissolution of marriage, contested and uncontested, except dissolution
8 upon conviction of crime as provided in section [46b-47] 46b-48; (2) legal
9 separation; (3) annulment of marriage; (4) alimony, support, custody
10 and change of name incident to dissolution of marriage, legal separation
11 and annulment; (5) actions brought under section 46b-15, as amended
12 by this act; (6) complaints for change of name; (7) civil support
13 obligations; (8) habeas corpus and other proceedings to determine the
14 custody and visitation of children; (9) habeas corpus brought by or on
15 behalf of any mentally ill person except a person charged with a criminal
16 offense; (10) appointment of a commission to inquire whether a person
17 is wrongfully confined as provided by section 17a-523; (11) juvenile
18 matters as provided in section 46b-121; (12) all rights and remedies
19 provided for in chapter 815j; (13) the establishing of paternity; (14)
20 appeals from probate concerning: (A) Adoption or termination of
21 parental rights; (B) appointment and removal of guardians; (C) custody
22 of a minor child; (D) appointment and removal of conservators; (E)
23 orders for custody of any child; and (F) orders of commitment of persons
24 to public and private institutions and to other appropriate facilities as
25 provided by statute; (15) actions related to prenuptial and separation
26 agreements and to matrimonial and civil union decrees of a foreign
27 jurisdiction; (16) dissolution, legal separation or annulment of a civil
28 union performed in a foreign jurisdiction; (17) custody proceedings
29 brought under the provisions of chapter 815p; and (18) all such other
30 matters within the jurisdiction of the Superior Court concerning
31 children or family relations as may be determined by the judges of said
32 court.

33 (b) As used in this title, "domestic violence" means: (1) A continuous
34 threat of present physical pain or physical injury against a family or
35 household member, as defined in section 46b-38a, as amended by this
36 act; (2) stalking, including but not limited to, stalking as described in

37 section 53a-181d, of such family or household member; (3) a pattern of
38 threatening, including but not limited to, a pattern of threatening as
39 described in section 53a-62, of such family or household member or a
40 third party that intimidates such family or household member; or (4)
41 coercive control of such family or household member, which is a pattern
42 of behavior that in purpose unreasonably interferes with a person's free
43 will and personal liberty. "Coercive control" includes, but is not limited
44 to, unreasonably engaging in a pattern or practice of intentionally:

45 (A) Isolating the family or household member from friends, relatives
46 or other sources of support;

47 (B) Depriving the family or household member of basic necessities;

48 (C) Controlling, regulating or monitoring the family or household
49 member's movements, communications, daily behavior, finances,
50 economic resources or access to services;

51 (D) Compelling the family or household member by force, threat or
52 intimidation, including, but not limited to, threats based on actual or
53 suspected immigration status, to (i) engage in conduct from which such
54 family or household member has a right to abstain, or (ii) abstain from
55 conduct that such family or household member has a right to pursue;

56 (E) Committing or threatening to commit cruelty to animals that
57 intimidates the family or household member; or

58 (F) Forced sex acts, or threats of a sexual nature, including, but not
59 limited to, threatened acts of sexual conduct, threats based on a person's
60 sexuality or threats to release sexual images.

61 Sec. 2. Subsections (a) and (b) of section 46b-15 of the general statutes
62 are repealed and the following is substituted in lieu thereof (*Effective*
63 *October 1, 2021*):

64 (a) Any family or household member, as defined in section 46b-38a,
65 as amended by this act, who [has been subjected to a continuous threat
66 of present physical pain or physical injury, stalking or a pattern of

67 threatening, including, but not limited to, a pattern of threatening, as
68 described in section 53a-62, by another family or household member] is
69 the victim of domestic violence, as defined in section 46b-1, as amended
70 by this act, by another family or household member may make an
71 application to the Superior Court for relief under this section. The court
72 shall provide any person who applies for relief under this section with
73 the information set forth in section 46b-15b.

74 (b) The application form shall allow the applicant, at the applicant's
75 option, to indicate whether the respondent holds a permit to carry a
76 pistol or revolver, an eligibility certificate for a pistol or revolver, a long
77 gun eligibility certificate or an ammunition certificate or possesses one
78 or more firearms or ammunition. The application shall be accompanied
79 by an affidavit made under oath which includes a brief statement of the
80 conditions from which relief is sought. Upon receipt of the application
81 the court shall order that a hearing on the application be held not later
82 than fourteen days from the date of the order except that, if the
83 application indicates that the respondent holds a permit to carry a pistol
84 or revolver, an eligibility certificate for a pistol or revolver, a long gun
85 eligibility certificate or an ammunition certificate or possesses one or
86 more firearms or ammunition, and the court orders an ex parte order,
87 the court shall order that a hearing be held on the application not later
88 than seven days from the date on which the ex parte order is issued. The
89 court, in its discretion, may make such orders as it deems appropriate
90 for the protection of the applicant and such dependent children or other
91 persons as the court sees fit. In making such orders ex parte, the court,
92 in its discretion, may consider relevant court records if the records are
93 available to the public from a clerk of the Superior Court or on the
94 Judicial Branch's Internet web site. In addition, at the time of the
95 hearing, the court [, in its discretion,] may, if both parties consent, also
96 consider a report prepared by the family services unit of the Judicial
97 Branch that may include, as available: Any existing or prior orders of
98 protection obtained from the protection order registry; information on
99 any pending criminal case or past criminal case in which the respondent
100 was convicted of a violent crime; any outstanding arrest warrant for the

101 respondent; and the respondent's level of risk based on a risk
102 assessment tool utilized by the Court Support Services Division. The
103 report may also include information pertaining to any pending or
104 disposed family matters case involving the applicant and respondent.
105 Any report provided by the Court Support Services Division to the court
106 shall also be provided to the applicant and respondent. Such orders may
107 include temporary child custody or visitation rights, and such relief may
108 include, but is not limited to, an order enjoining the respondent from (1)
109 imposing any restraint upon the person or liberty of the applicant; (2)
110 threatening, harassing, assaulting, molesting, sexually assaulting or
111 attacking the applicant; or (3) entering the family dwelling or the
112 dwelling of the applicant. Such order may include provisions necessary
113 to protect any animal owned or kept by the applicant including, but not
114 limited to, an order enjoining the respondent from injuring or
115 threatening to injure such animal. If an applicant alleges an immediate
116 and present physical danger to the applicant, the court may issue an ex
117 parte order granting such relief as it deems appropriate. If a
118 postponement of a hearing on the application is requested by either
119 party and granted, the ex parte order shall not be continued except upon
120 agreement of the parties or by order of the court for good cause shown.
121 If a hearing on the application is scheduled or an ex parte order is
122 granted and the court is closed on the scheduled hearing date, the
123 hearing shall be held on the next day the court is open and any such ex
124 parte order shall remain in effect until the date of such hearing. If the
125 applicant is under eighteen years of age, a parent, guardian or
126 responsible adult who brings the application as next friend of the
127 applicant may not speak on the applicant's behalf at such hearing unless
128 there is good cause shown as to why the applicant is unable to speak on
129 his or her own behalf, except that nothing in this subsection shall
130 preclude such parent, guardian or responsible adult from testifying as a
131 witness at such hearing. As used in this subsection, "violent crime"
132 includes: (A) An incident resulting in physical harm, bodily injury or
133 assault; (B) an act of threatened violence that constitutes fear of
134 imminent physical harm, bodily injury or assault, including, but not
135 limited to, stalking or a pattern of threatening; (C) verbal abuse or

136 argument if there is a present danger and likelihood that physical
137 violence will occur; and (D) cruelty to animals as set forth in section 53-
138 247.

139 Sec. 3. Section 46b-15c of the general statutes is repealed and the
140 following is substituted in lieu thereof (*Effective October 1, 2021*):

141 (a) In any court proceeding in a family relations matter, as defined in
142 section 46b-1, as amended by this act, the court may, within available
143 resources, upon motion of the attorney for any party, order that the
144 testimony of a party or a child who is a subject of the proceeding be
145 taken outside the physical presence of any other party if a protective
146 order, restraining order or standing criminal protective order has been
147 issued on behalf of the party or child, and the other party is subject to
148 the protective order, restraining order or standing criminal protective
149 order. Such order may provide for the use of alternative means to obtain
150 the testimony of any party or child, including, but not limited to, the use
151 of a secure video connection for the purpose of conducting hearings by
152 videoconference. Such testimony may be taken in a room other than the
153 courtroom or at another location outside the courthouse or outside the
154 state. The court shall provide for the administration of an oath to such
155 party or child prior to the taking of such testimony in accordance with
156 the rules of the Superior Court.

157 (b) Nothing in this section shall be construed to limit any party's right
158 to cross-examine a witness whose testimony is taken in a room other
159 than the courtroom pursuant to an order under this section.

160 (c) An order under this section may remain in effect during the
161 pendency of the proceedings in the family relations matter.

162 (d) A notice describing the provisions of subsection (a) of this section
163 shall be (1) posted on the Internet web site of the Judicial Branch, (2)
164 included in any written or electronic form that describes the automatic
165 orders in cases involving a dissolution of marriage or legal separation
166 under section 46b-40, and (3) included in any written or electronic form
167 provided to a person who receives a protective order under section 46b-

168 38c, a standing criminal protective order under section 54a-40e, or a
169 restraining order, under section 46b-15, as amended by this act.

170 Sec. 4. Subsection (b) of section 46b-16a of the general statutes is
171 repealed and the following is substituted in lieu thereof (*Effective October*
172 *1, 2021*):

173 (b) The application shall be accompanied by an affidavit made by the
174 applicant under oath that includes a statement of the specific facts that
175 form the basis for relief. If the applicant attests that disclosure of the
176 applicant's location information would jeopardize the health, safety or
177 liberty of the applicant or the applicant's children, the applicant may
178 request, on a form prescribed by the Chief Court Administrator, that his
179 or her location information not be disclosed. Upon receipt of the
180 application, if the allegations set forth in the affidavit meet the
181 requirements of subsection (a) of this section, the court shall schedule a
182 hearing not later than fourteen days from the date of the application. If
183 a postponement of a hearing on the application is requested by either
184 party, no ex parte order shall be continued except upon agreement of
185 the parties or by order of the court for good cause shown. If the court is
186 closed on the scheduled hearing date, the hearing shall be held on the
187 next day the court is open and any ex parte order that was issued shall
188 remain in effect until the date of such hearing. If the applicant is under
189 eighteen years of age, a parent, guardian or responsible adult who
190 brings the application as next friend of the applicant may not speak on
191 the applicant's behalf at such hearing unless there is good cause shown
192 as to why the applicant is unable to speak on his or her own behalf,
193 except that nothing in this subsection shall preclude such parent,
194 guardian or responsible adult from testifying as a witness at such
195 hearing. If the court finds that there are reasonable grounds to believe
196 that the respondent has committed acts constituting grounds for
197 issuance of an order under this section and will continue to commit such
198 acts or acts designed to intimidate or retaliate against the applicant, the
199 court, in its discretion, may make such orders as it deems appropriate
200 for the protection of the applicant. If the court finds that there are
201 reasonable grounds to believe that an imminent danger exists to the

202 applicant, the court may issue an ex parte order granting such relief as
203 it deems appropriate. In making such orders, the court, in its discretion,
204 may consider relevant court records if the records are available to the
205 public from a clerk of the Superior Court or on the Judicial Branch's
206 Internet web site. At the time of the hearing, the court may, if both
207 parties consent, also consider a report prepared by the family services
208 unit of the Judicial Branch that may include, as available: (1) Any
209 existing or prior civil protection orders obtained from the protection
210 order registry; (2) information on any pending criminal case or past
211 criminal case in which the respondent was convicted of a violent crime;
212 (3) any outstanding arrest warrant for the respondent; and (4) the
213 respondent's level of risk based on a risk assessment tool utilized by the
214 Court Support Services Division. The report may also include
215 information pertaining to any pending or disposed family matters case
216 involving the applicant and respondent. Any report provided by the
217 Court Support Services Division to the court shall also be provided to
218 the applicant and respondent. Such orders may include, but are not
219 limited to, an order enjoining the respondent from: [(1)] (A) Imposing
220 any restraint upon the person or liberty of the applicant; [(2)] (B)
221 threatening, harassing, assaulting, molesting, sexually assaulting or
222 attacking the applicant; and [(3)] (C) entering the dwelling of the
223 applicant.

224 Sec. 5. Subdivision (3) of section 46b-38a of the general statutes is
225 repealed and the following is substituted in lieu thereof (*Effective July 1,*
226 *2021*):

227 (3) "Family violence crime" means a crime as defined in section 53a-
228 24, other than a delinquent act, as defined in section 46b-120, which, in
229 addition to its other elements, contains as an element thereof an act of
230 family violence to a family or household member. "Family violence
231 crime" includes any violation of section 53a-222, 53a-222a, 53a-223, 53a-
232 223a or 53a-223b when the condition of release or court order is issued
233 for an act of family violence or a family violence crime. "Family violence
234 crime" does not include acts by parents or guardians disciplining minor
235 children unless such acts constitute abuse.

236 Sec. 6. Subdivision (5) of subsection (g) of section 46b-38b of the
237 general statutes is repealed and the following is substituted in lieu
238 thereof (*Effective July 1, 2021*):

239 (5) (A) On and after July 1, [2010] 2021, each law enforcement agency
240 shall designate at least one officer with supervisory duties to
241 expeditiously process, upon request of a victim of family violence or
242 other crime who is applying for U Nonimmigrant Status [(A)] (i) a
243 certification of helpfulness on Form I-918, Supplement B, or any
244 subsequent corresponding form designated by the United States
245 Department of Homeland Security, confirming that the victim of family
246 violence or other crime has been helpful, is being helpful [,] or is likely
247 to be helpful in the investigation or prosecution of the criminal activity,
248 and [(B)] (ii) any subsequent certification required by the victim. As
249 used in this subparagraph, "expeditiously" means not later than sixty
250 days after the date of receipt of the request for certification of
251 helpfulness, or not later than fourteen days after the date of receipt of
252 such request if (I) the victim is in federal immigration removal
253 proceedings or detained, or (II) the victim's child, parents or siblings
254 would become ineligible for an immigration benefit by virtue of the
255 victim or the sibling of such victim attaining the age of eighteen years,
256 or the victim's child attaining the age of twenty-one years.

257 (B) By signing a certification of helpfulness, the officer or agency is
258 not making a determination of eligibility for U Nonimmigrant Status.
259 The officer or agency is solely providing information required by the
260 United States Department of Homeland Security on such form as is
261 required by said department and certifying that: (i) The requesting
262 individual or his or her family member is a victim of one of the
263 enumerated crimes eligible for U Nonimmigrant Status, (ii) the victim
264 possesses or possessed information regarding that crime, (iii) the victim
265 has been, is being or is likely to be helpful in an investigation of that
266 crime, and (iv) the victim has not failed or refused to provide reasonably
267 requested information or assistance. A current or ongoing investigation,
268 filing of criminal charges, prosecution or conviction is not required for
269 a victim to request and obtain certification under this subdivision.

270 Sec. 7. Subsection (f) of section 46b-54 of the general statutes is
271 repealed and the following is substituted in lieu thereof (*Effective October*
272 *1, 2021*):

273 (f) When recommending the entry of any order as provided in
274 subsections (a) and (b) of section 46b-56, as amended by this act, counsel
275 or a guardian ad litem for the minor child shall consider the best
276 interests of the child, and in doing so shall consider, but not be limited
277 to, one or more of the following factors: (1) The physical and emotional
278 safety of the child; (2) the temperament and developmental needs of the
279 child; [(2)] (3) the capacity and the disposition of the parents to
280 understand and meet the needs of the child; [(3)] (4) any relevant and
281 material information obtained from the child, including the informed
282 preferences of the child; [(4)] (5) the wishes of the child's parents as to
283 custody; [(5)] (6) the past and current interaction and relationship of the
284 child with each parent, the child's siblings and any other person who
285 may significantly affect the best interests of the child; [(6)] (7) the
286 willingness and ability of each parent to facilitate and encourage such
287 continuing parent-child relationship between the child and the other
288 parent as is appropriate, including compliance with any court orders;
289 [(7)] (8) any manipulation by or coercive behavior of the parents in an
290 effort to involve the child in the parents' dispute; [(8)] (9) the ability of
291 each parent to be actively involved in the life of the child; [(9)] (10) the
292 child's adjustment to his or her home, school and community
293 environments; [(10)] (11) the length of time that the child has lived in a
294 stable and satisfactory environment and the desirability of maintaining
295 continuity in such environment, provided counsel or a guardian ad
296 litem for the minor child may consider favorably a parent who
297 voluntarily leaves the child's family home pendente lite in order to
298 alleviate stress in the household; [(11)] (12) the stability of the child's
299 existing or proposed residences, or both; [(12)] (13) the mental and
300 physical health of all individuals involved, except that a disability of a
301 proposed custodial parent or other party, in and of itself, shall not be
302 determinative of custody unless the proposed custodial arrangement is
303 not in the best interests of the child; [(13)] (14) the child's cultural

304 background; [(14)] (15) the effect on the child of the actions of an abuser,
305 if any domestic violence, as defined in section 46b-1, as amended by this
306 act, has occurred between the parents or between a parent and another
307 individual or the child; [(15)] (16) whether the child or a sibling of the
308 child has been abused or neglected, as defined respectively in section
309 46b-120; and [(16)] (17) whether a party satisfactorily completed
310 participation in a parenting education program established pursuant to
311 section 46b-69b. Counsel or a guardian ad litem for the minor child shall
312 not be required to assign any weight to any of the factors considered.

313 Sec. 8. Section 46b-56 of the general statutes is repealed and the
314 following is substituted in lieu thereof (*Effective October 1, 2021*):

315 (a) In any controversy before the Superior Court as to the custody or
316 care of minor children, and at any time after the return day of any
317 complaint under section 46b-45, the court may make or modify any
318 proper order regarding the custody, care, education, visitation and
319 support of the children if it has jurisdiction under the provisions of
320 chapter 815p. Subject to the provisions of section 46b-56a, the court may
321 assign parental responsibility for raising the child to the parents jointly,
322 or may award custody to either parent or to a third party, according to
323 its best judgment upon the facts of the case and subject to such
324 conditions and limitations as it deems equitable. The court may also
325 make any order granting the right of visitation of any child to a third
326 party to the action, including, but not limited to, grandparents.

327 (b) In making or modifying any order as provided in subsection (a)
328 of this section, the rights and responsibilities of both parents shall be
329 considered and the court shall enter orders accordingly that serve the
330 best interests of the child and provide the child with the active and
331 consistent involvement of both parents commensurate with their
332 abilities and interests. Such orders may include, but shall not be limited
333 to: (1) Approval of a parental responsibility plan agreed to by the
334 parents pursuant to section 46b-56a; (2) the award of joint parental
335 responsibility of a minor child to both parents, which shall include (A)
336 provisions for residential arrangements with each parent in accordance

337 with the needs of the child and the parents, and (B) provisions for
338 consultation between the parents and for the making of major decisions
339 regarding the child's health, education and religious upbringing; (3) the
340 award of sole custody to one parent with appropriate parenting time for
341 the noncustodial parent where sole custody is in the best interests of the
342 child; or (4) any other custody arrangements as the court may determine
343 to be in the best interests of the child.

344 (c) In making or modifying any order as provided in subsections (a)
345 and (b) of this section, the court shall consider the best interests of the
346 child, and in doing so, may consider, but shall not be limited to, one or
347 more of the following factors: (1) The physical and emotional safety of
348 the child; (2) the temperament and developmental needs of the child;
349 [(2)] (3) the capacity and the disposition of the parents to understand
350 and meet the needs of the child; [(3)] (4) any relevant and material
351 information obtained from the child, including the informed
352 preferences of the child; [(4)] (5) the wishes of the child's parents as to
353 custody; [(5)] (6) the past and current interaction and relationship of the
354 child with each parent, the child's siblings and any other person who
355 may significantly affect the best interests of the child; [(6)] (7) the
356 willingness and ability of each parent to facilitate and encourage such
357 continuing parent-child relationship between the child and the other
358 parent as is appropriate, including compliance with any court orders;
359 [(7)] (8) any manipulation by or coercive behavior of the parents in an
360 effort to involve the child in the parents' dispute; [(8)] (9) the ability of
361 each parent to be actively involved in the life of the child; [(9)] (10) the
362 child's adjustment to his or her home, school and community
363 environments; [(10)] (11) the length of time that the child has lived in a
364 stable and satisfactory environment and the desirability of maintaining
365 continuity in such environment, provided the court may consider
366 favorably a parent who voluntarily leaves the child's family home
367 pendente lite in order to alleviate stress in the household; [(11)] (12) the
368 stability of the child's existing or proposed residences, or both; [(12)] (13)
369 the mental and physical health of all individuals involved, except that a
370 disability of a proposed custodial parent or other party, in and of itself,

371 shall not be determinative of custody unless the proposed custodial
372 arrangement is not in the best interests of the child; [(13)] (14) the child's
373 cultural background; [(14)] (15) the effect on the child of the actions of
374 an abuser, if any domestic violence, as defined in section 46b-1, as
375 amended by this act, has occurred between the parents or between a
376 parent and another individual or the child; [(15)] (16) whether the child
377 or a sibling of the child has been abused or neglected, as defined
378 respectively in section 46b-120; and [(16)] (17) whether the party
379 satisfactorily completed participation in a parenting education program
380 established pursuant to section 46b-69b. The court is not required to
381 assign any weight to any of the factors that it considers, but shall
382 articulate the basis for its decision.

383 (d) Upon the issuance of any order assigning custody of the child to
384 the Commissioner of Children and Families, or not later than sixty days
385 after the issuance of such order, the court shall make a determination
386 whether the Department of Children and Families made reasonable
387 efforts to keep the child with his or her parents prior to the issuance of
388 such order and, if such efforts were not made, whether such reasonable
389 efforts were not possible, taking into consideration the best interests of
390 the child, including the child's health and safety.

391 (e) In determining whether a child is in need of support and, if in
392 need, the respective abilities of the parents to provide support, the court
393 shall take into consideration all the factors enumerated in section 46b-
394 84.

395 (f) When the court is not sitting, any judge of the court may make any
396 order in the cause which the court might make under this section,
397 including orders of injunction, prior to any action in the cause by the
398 court.

399 (g) A parent not granted custody of a minor child shall not be denied
400 the right of access to the academic, medical, hospital or other health
401 records of such minor child, unless otherwise ordered by the court for
402 good cause shown.

403 (h) Notwithstanding the provisions of subsections (b) and (c) of this
404 section, when a motion for modification of custody or visitation is
405 pending before the court or has been decided by the court and the
406 investigation ordered by the court pursuant to section 46b-6
407 recommends psychiatric or psychological therapy for a child, and such
408 therapy would, in the court's opinion, be in the best interests of the child
409 and aid the child's response to a modification, the court may order such
410 therapy and reserve judgment on the motion for modification.

411 (i) As part of a decision concerning custody or visitation, the court
412 may order either parent or both of the parents and any child of such
413 parents to participate in counseling and drug or alcohol screening,
414 provided such participation is in the best interests of the child.

415 Sec. 9. (NEW) (*Effective October 1, 2021*) In any family relations matter
416 described in section 46b-1 of the general statutes, as amended by this
417 act, if the court finds that a pattern of frivolous and intentionally
418 fabricated pleadings or motions are filed by one party, the court shall
419 sanction such party in an appropriate manner so as to allow such matter
420 to proceed without undue delay or obstruction by the party filing such
421 pleadings or motions.

422 Sec. 10. Section 51-27h of the general statutes is repealed and the
423 following is substituted in lieu thereof (*Effective July 1, 2021*):

424 The Chief Court Administrator shall provide in each court where
425 family matters or family violence matters are heard or where a domestic
426 violence docket, as defined in section 51-181e, is located a secure room
427 for victims of family violence crimes and advocates for victims of family
428 violence crimes which is separate from any public or private area of the
429 court intended to accommodate the respondent or defendant or the
430 respondent's or defendant's family, friends, attorneys or witnesses and
431 separate from the office of the state's attorney, provided in courthouses
432 constructed prior to July 1, 2021, such a room is available and the use of
433 such room is practical.

434 Sec. 11. Section 51-27i of the general statutes is repealed and the

435 following is substituted in lieu thereof (*Effective July 1, 2021*):

436 (a) As used in this section:

437 (1) "Domestic violence agency" means any office, shelter, host home
438 or agency offering assistance to victims of domestic violence through
439 crisis intervention, emergency shelter referral and medical and legal
440 advocacy, and which meets the Department of Social Services' criteria
441 of service provision for such agencies.

442 (2) "Family violence victim advocate" means a person (A) who is
443 employed by and under the control of a direct service supervisor of a
444 domestic violence agency, (B) who has undergone a minimum of twenty
445 hours of training which shall include, but not be limited to, the
446 dynamics of domestic violence, crisis intervention, communication
447 skills, working with diverse populations, an overview of the state
448 criminal justice and civil family court systems and information about
449 state and community resources for victims of domestic violence, (C)
450 who is certified as a counselor by the domestic violence agency that
451 provided such training, and (D) whose primary purpose is the
452 rendering of advice, counsel and assistance to, and the advocacy of the
453 cause of, victims of domestic violence.

454 (b) The Chief Court Administrator shall permit one or more family
455 violence victim advocates to provide services to victims of domestic
456 violence in (1) the Family Division of the Superior Court in [one or more
457 judicial districts] each judicial district, and (2) each geographical area
458 court in the state.

459 (c) Notwithstanding any provision of the general statutes restricting
460 the disclosure of documents, upon request, a family violence victim
461 advocate providing services in the Family Division of the Superior
462 Court or a geographical area court shall be provided with a copy of any
463 police report in the possession of the state's attorney, the Division of
464 State Police within the Department of Emergency Services and Public
465 Protection, any municipal police department or any other law
466 enforcement agency that the family violence victim advocate requires to

467 perform the responsibilities and duties set forth in subsection (b) of this
468 section.

469 Sec. 12. Subsection (a) of section 17b-112g of the general statutes is
470 repealed and the following is substituted in lieu thereof (*Effective July 1,*
471 *2021*):

472 (a) The Commissioner of Social Services shall offer immediate
473 diversion assistance designed to prevent certain families who are
474 applying for monthly temporary family assistance from needing such
475 assistance. Diversion assistance shall be offered to families that (1) upon
476 initial assessment are determined eligible for temporary family
477 assistance, (2) demonstrate a short-term need that cannot be met with
478 current or anticipated family resources, and (3) with the provision of a
479 service or short-term benefit, would be prevented from needing
480 monthly temporary family assistance. Within resources available to the
481 Department of Social Services, a person who requests diversion
482 assistance on the basis of being a victim of domestic violence, as defined
483 in section 17b-112a, shall be deemed to satisfy subdivision (2) of this
484 subsection and shall not be subject to the requirements of subdivision
485 (3) of this subsection. In determining whether the family of such a victim
486 of domestic violence satisfies the requirements of subdivision (1) of this
487 subsection and the appropriate amount of diversion assistance to
488 provide, the commissioner shall not include as a member of the family
489 the spouse, domestic partner or other household member credibly
490 accused of domestic violence by such victim, nor shall the commissioner
491 count the income or assets of such a spouse, domestic partner or other
492 household member. For purposes of this subsection, allegations of
493 domestic violence may be substantiated by the commissioner pursuant
494 to the provisions of subsection (b) of section 17b-112a.

495 Sec. 13. Section 17b-191 of the general statutes is repealed and the
496 following is substituted in lieu thereof (*Effective July 1, 2021*):

497 (a) Notwithstanding the provisions of sections 17b-190, 17b-195 and
498 17b-196, the Commissioner of Social Services shall operate a state-

499 administered general assistance program in accordance with this section
500 and sections 17b-131, 17b-193, 17b-194, 17b-197 and 17b-198.
501 Notwithstanding any provision of the general statutes, on and after
502 October 1, 2003, no town shall be reimbursed by the state for any general
503 assistance medical benefits incurred after September 30, 2003, and on
504 and after March 1, 2004, no town shall be reimbursed by the state for
505 any general assistance cash benefits or general assistance program
506 administrative costs incurred after February 29, 2004.

507 (b) The state-administered general assistance program shall provide
508 cash assistance of (1) two hundred dollars per month for an
509 unemployable person upon determination of such person's
510 unemployability; (2) two hundred dollars per month for a transitional
511 person who is required to pay for shelter; and (3) fifty dollars per month
512 for a transitional person who is not required to pay for shelter. The
513 standard of assistance paid for individuals residing in rated boarding
514 facilities shall remain at the level in effect on August 31, 2003. No person
515 shall be eligible for cash assistance under the program if eligible for cash
516 assistance under any other state or federal cash assistance program. The
517 standards of assistance set forth in this subsection shall be subject to
518 annual increases, as described in subsection (b) of section 17b-104.

519 (c) To be eligible for cash assistance under the program, a person shall
520 (1) be (A) eighteen years of age or older; (B) a minor found by a court to
521 be emancipated pursuant to section 46b-150; or (C) under eighteen years
522 of age and the commissioner determines good cause for such person's
523 eligibility, and (2) not have assets exceeding two hundred fifty dollars
524 or, if such person is married, such person and his or her spouse shall not
525 have assets exceeding five hundred dollars. In determining eligibility,
526 the commissioner shall not consider as income Aid and Attendance
527 pension benefits granted to a veteran, as defined in section 27-103, or the
528 surviving spouse of such veteran. No person who is a substance abuser
529 and refuses or fails to enter available, appropriate treatment shall be
530 eligible for cash assistance under the program until such person enters
531 treatment. No person whose benefits from the temporary family
532 assistance program have terminated as a result of time-limited benefits

533 or for failure to comply with a program requirement shall be eligible for
534 cash assistance under the program.

535 (d) Prior to or upon discontinuance of assistance, a person previously
536 determined to be a transitional person may petition the commissioner
537 to review the determination of his or her status. In such review, the
538 commissioner shall consider factors, including, but not limited to: (1)
539 Age; (2) education; (3) vocational training; (4) mental and physical
540 health; and (5) employment history and shall make a determination of
541 such person's ability to obtain gainful employment.

542 (e) Notwithstanding any other provision of this section or section
543 17b-194, a victim of domestic violence, as defined in section 17b-112a,
544 who is not eligible for diversion assistance under the provisions of
545 section 17b-112g, as amended by this act, shall be eligible for a one-time
546 assistance payment under the state-administered general assistance
547 program within resources available to the Department of Social
548 Services. Such payment shall be equivalent to that which such victim
549 would be entitled to receive as diversion assistance if such victim and
550 his or her family, if any, were eligible for diversion assistance. In
551 determining whether and in what amount a victim of domestic violence
552 and his or her family are eligible for a one-time assistance payment
553 pursuant to this subsection, the commissioner shall not include as a
554 member of such victim's family the spouse, domestic partner or other
555 household member credibly accused of domestic violence by such
556 victim, nor shall the commissioner count the income or assets of such a
557 spouse, domestic partner or other household member. For purposes of
558 this subsection, allegations of domestic violence may be substantiated
559 by the commissioner pursuant to the provisions of subsection (b) of
560 section 17b-112a, and "family" has the same meaning as used in section
561 17b-112, except as otherwise provided in this subsection.

562 Sec. 14. Subsections (a) and (b) of section 54-64a of the general statutes
563 are repealed and the following is substituted in lieu thereof (*Effective*
564 *October 1, 2021*):

565 (a) (1) Except as provided in subdivision (2) of this subsection and
566 subsection (b) of this section, when any arrested person is presented
567 before the Superior Court, said court shall, in bailable offenses,
568 promptly order the release of such person upon the first of the following
569 conditions of release found sufficient to reasonably ensure the
570 appearance of the arrested person in court: (A) Upon execution of a
571 written promise to appear without special conditions, (B) upon
572 execution of a written promise to appear with nonfinancial conditions,
573 (C) upon execution of a bond without surety in no greater amount than
574 necessary, (D) upon execution of a bond with surety in no greater
575 amount than necessary, but in no event shall a judge prohibit a bond
576 from being posted by surety. In addition to or in conjunction with any
577 of the conditions enumerated in subparagraphs (A) to (D), inclusive, of
578 this subdivision the court may, when it has reason to believe that the
579 person is drug-dependent and where necessary, reasonable and
580 appropriate, order the person to submit to a urinalysis drug test and to
581 participate in a program of periodic drug testing and treatment. The
582 results of any such drug test shall not be admissible in any criminal
583 proceeding concerning such person.

584 (2) If the arrested person is charged with no offense other than a
585 misdemeanor, the court shall not impose financial conditions of release
586 on the person unless (A) the person is charged with a family violence
587 crime, as defined in section 46b-38a, as amended by this act, or (B) the
588 person requests such financial conditions, or (C) the court makes a
589 finding on the record that there is a likely risk that (i) the arrested person
590 will fail to appear in court, as required, or (ii) the arrested person will
591 obstruct or attempt to obstruct justice, or threaten, injure or intimidate
592 or attempt to threaten, injure or intimidate a prospective witness or
593 juror, or (iii) the arrested person will engage in conduct that threatens
594 the safety of himself or herself or another person. In making a finding
595 described in this subsection, the court may consider past criminal
596 history, including any prior record of failing to appear as required in
597 court that resulted in any conviction for a violation of section 53a-172 or
598 any conviction during the previous ten years for a violation of section

599 53a-173 and any other pending criminal cases of the person charged
600 with a misdemeanor.

601 (3) The court may, in determining what conditions of release will
602 reasonably ensure the appearance of the arrested person in court,
603 consider the following factors: (A) The nature and circumstances of the
604 offense, (B) such person's record of previous convictions, (C) such
605 person's past record of appearance in court, (D) such person's family
606 ties, (E) such person's employment record, (F) such person's financial
607 resources, character and mental condition, [and] (G) such person's
608 community ties, and (H) in the case of a violation of 53a-222a when the
609 condition of release was issued for a family violence crime, as defined
610 in section 46b-38a, as amended by this act, the heightened risk posed to
611 victims of family violence by violations of conditions of release.

612 (b) (1) When any arrested person charged with the commission of a
613 class A felony, a class B felony, except a violation of section 53a-86 or
614 53a-122, a class C felony, except a violation of section 53a-87, 53a-152 or
615 53a-153, or a class D felony under sections 53a-60 to 53a-60c, inclusive,
616 section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136 or 53a-216,
617 or a family violence crime, as defined in section 46b-38a, as amended by
618 this act, is presented before the Superior Court, said court shall, in
619 bailable offenses, promptly order the release of such person upon the
620 first of the following conditions of release found sufficient to reasonably
621 ensure the appearance of the arrested person in court and that the safety
622 of any other person will not be endangered: (A) Upon such person's
623 execution of a written promise to appear without special conditions, (B)
624 upon such person's execution of a written promise to appear with
625 nonfinancial conditions, (C) upon such person's execution of a bond
626 without surety in no greater amount than necessary, (D) upon such
627 person's execution of a bond with surety in no greater amount than
628 necessary, but in no event shall a judge prohibit a bond from being
629 posted by surety. In addition to or in conjunction with any of the
630 conditions enumerated in subparagraphs (A) to (D), inclusive, of this
631 subdivision, the court may, when it has reason to believe that the person
632 is drug-dependent and where necessary, reasonable and appropriate,

633 order the person to submit to a urinalysis drug test and to participate in
634 a program of periodic drug testing and treatment. The results of any
635 such drug test shall not be admissible in any criminal proceeding
636 concerning such person.

637 (2) The court may, in determining what conditions of release will
638 reasonably ensure the appearance of the arrested person in court and
639 that the safety of any other person will not be endangered, consider the
640 following factors: (A) The nature and circumstances of the offense, (B)
641 such person's record of previous convictions, (C) such person's past
642 record of appearance in court after being admitted to bail, (D) such
643 person's family ties, (E) such person's employment record, (F) such
644 person's financial resources, character and mental condition, (G) such
645 person's community ties, (H) the number and seriousness of charges
646 pending against the arrested person, (I) the weight of the evidence
647 against the arrested person, (J) the arrested person's history of violence,
648 (K) whether the arrested person has previously been convicted of
649 similar offenses while released on bond, [and] (L) the likelihood based
650 upon the expressed intention of the arrested person that such person
651 will commit another crime while released, and (M) the heightened risk
652 posed to victims of family violence by violations of conditions of release
653 and court orders of protection.

654 (3) When imposing conditions of release under this subsection, the
655 court shall state for the record any factors under subdivision (2) of this
656 subsection that it considered and the findings that it made as to the
657 danger, if any, that the arrested person might pose to the safety of any
658 other person upon the arrested person's release that caused the court to
659 impose the specific conditions of release that it imposed.

660 Sec. 15. Subsection (a) of section 53a-181j of the general statutes is
661 repealed and the following is substituted in lieu thereof (*Effective October*
662 *1, 2021*):

663 (a) A person is guilty of intimidation based on bigotry or bias in the
664 first degree when such person maliciously, and with specific intent to

665 intimidate or harass another person [because of] motivated in whole or
666 in substantial part by the actual or perceived race, religion, ethnicity,
667 disability, sex, sexual orientation or gender identity or expression of
668 such other person, causes physical injury to such other person or to a
669 third person.

670 Sec. 16. Subsection (a) of section 53a-181k of the general statutes is
671 repealed and the following is substituted in lieu thereof (*Effective October*
672 *1, 2021*):

673 (a) A person is guilty of intimidation based on bigotry or bias in the
674 second degree when such person maliciously, and with specific intent
675 to intimidate or harass another person or group of persons [because of]
676 motivated in whole or in substantial part by the actual or perceived race,
677 religion, ethnicity, disability, sex, sexual orientation or gender identity
678 or expression of such other person or group of persons, does any of the
679 following: (1) Causes physical contact with such other person or group
680 of persons, (2) damages, destroys or defaces any real or personal
681 property of such other person or group of persons, or (3) threatens, by
682 word or act, to do an act described in subdivision (1) or (2) of this
683 subsection, if there is reasonable cause to believe that an act described
684 in subdivision (1) or (2) of this subsection will occur.

685 Sec. 17. Subsection (a) of section 53a-181l of the general statutes is
686 repealed and the following is substituted in lieu thereof (*Effective October*
687 *1, 2021*):

688 (a) A person is guilty of intimidation based on bigotry or bias in the
689 third degree when such person, with specific intent to intimidate or
690 harass another person or group of persons [because of] motivated in
691 whole or in substantial part by the actual or perceived race, religion,
692 ethnicity, disability, sex, sexual orientation or gender identity or
693 expression of such other person or persons: (1) Damages, destroys or
694 defaces any real or personal property, or (2) threatens, by word or act,
695 to do an act described in subdivision (1) of this subsection or advocates
696 or urges another person to do an act described in subdivision (1) of this

697 subsection, if there is reasonable cause to believe that an act described
698 in said subdivision will occur.

699 Sec. 18. Section 46b-87 of the general statutes is repealed and the
700 following is substituted in lieu thereof (*Effective July 1, 2021*):

701 (a) When any person is found in contempt of an order of the Superior
702 Court entered under section 46b-60 to 46b-62, inclusive, 46b-81 to 46b-
703 83, inclusive, or 46b-86, the court [may] shall award to the petitioner a
704 reasonable attorney's fee and the fees of the officer serving the contempt
705 citation, such sums to be paid by the person found in contempt,
706 provided if any such person is found not to be in contempt of such order,
707 the court may award a reasonable attorney's fee to such person. The
708 costs of commitment of any person imprisoned for contempt of court by
709 reason of failure to comply with such an order shall be paid by [the state
710 as in criminal cases] such imprisoned person.

711 (b) (1) The state shall have a claim against each person imprisoned
712 under subsection (a) of this section for which the state has not received
713 the costs of commitment pursuant to said subsection. Any property
714 owned by such person prior to release from imprisonment may be used
715 to satisfy such claim, except property that is: (A) Exempt pursuant to
716 section 52-352b or 52-352d, except as provided in subsection (b) of
717 section 52-321a; or (B) subject to the provisions of section 54-218.
718 Property acquired by such person after release from imprisonment may
719 be used to satisfy such claim if that property could be used to satisfy a
720 claim for the costs of incarceration pursuant to the provisions of section
721 18-85b, 18-85c or 52-367c, except as provided in subsection (b) of section
722 52-321a.

723 (2) In addition to other remedies available at law, the Attorney
724 General may bring an action to enforce a claim under subdivision (1) of
725 this subsection in the superior court for the judicial district where the
726 person resides or, if the person is not a resident of this state, in the
727 superior court for the judicial district of Hartford. No such action shall
728 be brought but within two years from the date the person is released

729 from imprisonment, except that such limitation period shall not apply if
730 property that could be used to satisfy a claim under subdivision (1) of
731 this subsection was fraudulently concealed from the state.

732 Sec. 19. (*Effective July 1, 2021*) In accordance with the provisions of
733 subsection (c) of section 51-14 of the general statutes, the judges or a
734 committee of their number shall hold a public hearing to determine
735 whether the rules of the court should be changed to apply the provisions
736 of subsection (g) of Connecticut Practice Book Rule 25-26 to motions for
737 modification of a custody or visitation order made pendente lite.

738 Sec. 20. (NEW) (*Effective October 1, 2021*) (a) Upon the request of a
739 tenant, a landlord shall change the locks or permit the tenant to change
740 the locks to a tenant's dwelling unit when: (1) The tenant is named as a
741 protected person in (A) a protective or restraining order issued by a
742 court of this state, including, but not limited to, an order issued pursuant
743 to sections 46b-15, 46b-16a, 46b-38c, 53a-40e and 54-1k of the general
744 statutes, as amended by this act, that is in effect at the time the tenant
745 makes such request of the landlord, or (B) a foreign order of protection
746 that has been registered in this state pursuant to section 46b-15a of the
747 general statutes, as amended by this act, that is in effect at the time the
748 tenant makes such request of the landlord; (2) the protective order,
749 restraining order or foreign order of protection requires the respondent
750 or defendant to (A) stay away from the home of the tenant, or (B) stay a
751 minimum distance away from the tenant; and (3) the tenant provides a
752 copy of such protective order, restraining order or foreign order of
753 protection to the landlord. A landlord who is required to change a
754 tenant's locks or permit the tenant to change a tenant's locks under this
755 subsection shall, not later than ten hours after receipt of the request,
756 inform the tenant whether the landlord will change the locks or permit
757 the tenant to change the locks. If the landlord agrees to change the locks,
758 the landlord shall do so not later than twenty-four hours after the date
759 that the tenant makes such request.

760 (b) If a landlord has informed the tenant that the tenant is responsible
761 for changing the locks, fails to change the locks, or fails to permit a

762 tenant to change the locks within the timeframe prescribed under
763 subsection (a) of this section, the tenant may proceed to change the
764 locks. If a tenant changes the locks, the tenant shall ensure that the locks
765 are changed in a workmanlike manner, utilizing locks of similar or
766 improved quality as compared to the original locks. The landlord may
767 replace a lock installed by or at the behest of a tenant if the locks installed
768 were not of similar or improved quality or were not installed properly.
769 If a tenant changes the locks to his or her dwelling unit under this
770 subsection, the tenant shall provide a key to the new locks to the
771 landlord not later than two business days after the date on which the
772 locks were changed, except when good cause prevents the tenant from
773 providing a key to the landlord within the prescribed time period.

774 (c) When a landlord changes the locks to a dwelling unit under
775 subsection (a) or (b) of this section: (1) If the landlord uses a professional
776 contractor or locksmith to change such locks, the tenant shall be
777 responsible for payment to such contractor or locksmith, (2) the landlord
778 shall, at or prior to the time of changing such locks, provide a key to the
779 new locks to the tenant, and (3) the landlord may charge a fee to the
780 tenant not exceeding the actual reasonable cost of changing the locks,
781 unless the tenant has paid such cost pursuant to subdivision (1) of this
782 subsection. If the tenant fails to pay the fee under subdivision (3) of this
783 subsection, such cost may be recouped by suit against the tenant or as a
784 deduction from the security deposit when the tenant vacates the
785 dwelling unit, but shall not be the basis for a summary process action
786 under chapter 832 of the general statutes. For purposes of this
787 subsection, "actual reasonable cost" means the cost of the lock
788 mechanism.

789 (d) A landlord may reprogram a digital or electronic lock with a new
790 entry code to comply with the provisions of this section.

791 (e) If a tenant residing in the dwelling unit is named as the respondent
792 or defendant in an order described in subsection (a) of this section and
793 under such order is required to stay away from the dwelling unit, the
794 landlord shall not provide a key to such tenant for the new locks. Absent

795 a court order permitting a tenant who is the respondent or defendant in
796 such order to return to the dwelling unit to retrieve his or her
797 possessions and personal effects, the landlord has no duty under the
798 rental agreement or by law to allow such tenant access to the dwelling
799 unit once the landlord has been provided with a court order requiring
800 such tenant to stay away from the dwelling unit, and the landlord shall
801 not permit such tenant to access the dwelling unit. Any tenant excluded
802 from the dwelling unit under this section remains liable under the rental
803 agreement with any other tenant of the dwelling unit for rent or
804 damages to the dwelling unit.

805 (f) A landlord may not require a tenant who is named as a protected
806 person under an order described in subsection (a) of this section to pay
807 additional rent or an additional deposit or fee because of the exclusion
808 of the tenant who is named as the respondent or defendant in such
809 order.

810 (g) Any landlord or agent of such landlord who denies a tenant
811 named as a respondent or defendant in an order described in subsection
812 (a) of this section access to the dwelling unit pursuant to this section
813 shall be immune from any civil liability arising from such denial,
814 provided the landlord or agent complies with the provisions of this
815 section and any applicable court order.

816 Sec. 21. Section 47a-1 of the general statutes is repealed and the
817 following is substituted in lieu thereof (*Effective October 1, 2021*):

818 As used in this chapter and sections 47a-21, as amended by this act,
819 47a-23 to 47a-23c, inclusive, 47a-26a to 47a-26g, inclusive, 47a-35 to 47a-
820 35b, inclusive, 47a-41a, 47a-43 and 47a-46 and section 20 of this act:

821 (a) "Action" includes recoupment, counterclaim, set-off, cause of
822 action and any other proceeding in which rights are determined,
823 including an action for possession.

824 (b) "Building and housing codes" include any law, ordinance or
825 governmental regulation concerning fitness for habitation or the

826 construction, maintenance, operation, occupancy, use or appearance of
827 any premises or dwelling unit.

828 (c) "Dwelling unit" means any house or building, or portion thereof,
829 which is occupied, is designed to be occupied, or is rented, leased or
830 hired out to be occupied, as a home or residence of one or more persons.

831 (d) "Landlord" means the owner, lessor or sublessor of the dwelling
832 unit, the building of which it is a part or the premises.

833 (e) "Owner" means one or more persons, jointly or severally, in whom
834 is vested (1) all or part of the legal title to property, or (2) all or part of
835 the beneficial ownership and a right to present use and enjoyment of the
836 premises and includes a mortgagee in possession.

837 (f) "Person" means an individual, corporation, limited liability
838 company, the state or any political subdivision thereof, or agency,
839 business trust, estate, trust, partnership or association, two or more
840 persons having a joint or common interest, and any other legal or
841 commercial entity.

842 (g) "Premises" means a dwelling unit and the structure of which it is
843 a part and facilities and appurtenances therein and grounds, areas and
844 facilities held out for the use of tenants generally or whose use is
845 promised to the tenant.

846 (h) "Rent" means all periodic payments to be made to the landlord
847 under the rental agreement.

848 (i) "Rental agreement" means all agreements, written or oral, and
849 valid rules and regulations adopted under section 47a-9 or subsection
850 (d) of section 21-70 embodying the terms and conditions concerning the
851 use and occupancy of a dwelling unit or premises.

852 (j) "Roomer" means a person occupying a dwelling unit, which unit
853 does not include a refrigerator, stove, kitchen sink, toilet and shower or
854 bathtub and one or more of these facilities are used in common by other
855 occupants in the structure.

856 (k) "Single-family residence" means a structure maintained and used
857 as a single dwelling unit. Notwithstanding that a dwelling unit shares
858 one or more walls with another dwelling unit or has a common parking
859 facility, it is a single-family residence if it has direct access to a street or
860 thoroughfare and does not share heating facilities, hot water equipment
861 or any other essential facility or service with any other dwelling unit.

862 (l) "Tenant" means the lessee, sublessee or person entitled under a
863 rental agreement to occupy a dwelling unit or premises to the exclusion
864 of others or as is otherwise defined by law.

865 (m) "Tenement house" means any house or building, or portion
866 thereof, which is rented, leased or hired out to be occupied, or is
867 arranged or designed to be occupied, or is occupied, as the home or
868 residence of three or more families, living independently of each other,
869 and doing their cooking upon the premises, and having a common right
870 in the halls, stairways or yards.

871 Sec. 22. Subsection (a) of section 47a-21 of the general statutes is
872 repealed and the following is substituted in lieu thereof (*Effective October*
873 *1, 2021*):

874 As used in this chapter:

875 (1) "Accrued interest" means the interest due on a security deposit as
876 provided in subsection (i) of this section, compounded annually to the
877 extent applicable.

878 (2) "Commissioner" means the Banking Commissioner.

879 (3) "Escrow account" means any account at a financial institution
880 which is not subject to execution by the creditors of the escrow agent
881 and includes a clients' funds account.

882 (4) "Escrow agent" means the person in whose name an escrow
883 account is maintained.

884 (5) "Financial institution" means any state bank and trust company,

885 national bank, savings bank, federal savings bank, savings and loan
886 association, and federal savings and loan association that is located in
887 this state.

888 (6) "Forwarding address" means the address to which a security
889 deposit may be mailed for delivery to a former tenant.

890 (7) "Landlord" means any landlord of residential real property, and
891 includes (A) any receiver; (B) any successor; and (C) any tenant who
892 sublets his premises.

893 (8) "Receiver" means any person who is appointed or authorized by
894 any state, federal or probate court to receive rents from tenants, and
895 includes trustees, executors, administrators, guardians, conservators,
896 receivers, and receivers of rent.

897 (9) "Rent receiver" means a receiver who lacks court authorization to
898 return security deposits and to inspect the premises of tenants and
899 former tenants.

900 (10) "Residential real property" means real property containing one
901 or more residential units, including residential units not owned by the
902 landlord, and containing one or more tenants who paid a security
903 deposit.

904 (11) "Security deposit" means any advance rental payment, or any
905 installment payment collected pursuant to section 47a-22a, except an
906 advance payment for the first month's rent or a deposit for a key or any
907 special equipment.

908 (12) "Successor" means any person who succeeds to a landlord's
909 interest whether by purchase, foreclosure or otherwise and includes a
910 receiver.

911 (13) "Tenant" means a tenant, as defined in section 47a-1, as amended
912 by this act, or a resident, as defined in section 21-64.

913 (14) "Tenant's obligations" means (A) the amount of any rental or

914 utility payment due the landlord from a tenant; [and] (B) a tenant's
915 obligations under the provisions of section 47a-11; and (C) the actual
916 reasonable cost of changing the locks of the dwelling unit pursuant to
917 section 20 of this act, if the tenant has not paid such cost.

918 Sec. 23. (NEW) (*Effective from passage*) (a) There is established a grant
919 program to provide individuals who are indigent with access to legal
920 assistance at no cost when making an application for a restraining order
921 under section 46b-15 of the general statutes, as amended by this act. The
922 grant program shall be administered by the organization that
923 administers the program for the use of interest earned on lawyers'
924 clients' funds accounts pursuant to section 51-81c of the general statutes.
925 Funds appropriated to the Judicial Branch for the purpose of the grant
926 program shall be transferred to the organization administering the
927 program.

928 (b) Not later than three months after receiving funding in any year
929 from the state, the organization administering the program shall issue a
930 request for proposals from nonprofit entities whose principal purpose
931 is providing legal services at no cost to individuals who are indigent, for
932 the purpose of awarding grants to provide counsel to indigent
933 individuals who express an interest in applying for a restraining order
934 pursuant to section 46b-15 of the general statutes, as amended by this
935 act, and, to the extent practicable within the funding awarded,
936 representing such individuals throughout the process of applying for
937 such restraining order, including at prehearing conferences and at the
938 hearing on an application. A nonprofit entity responding to the request
939 for proposals may partner with law schools or other non-profit entities
940 or publicly funded organizations that are not governmental entities, for
941 the provision of services pursuant to a grant. Each response to the
942 request for proposals shall specify the judicial district courthouse, or
943 courthouses, for which services will be provided.

944 (c) The organization administering the program may award a grant
945 to provide services in any judicial district in the state, in an amount not
946 to exceed two hundred thousand dollars, except that a grant to provide

947 services in the judicial district with the highest average number of
948 applications for restraining orders under section 46b-15 of the general
949 statutes, as amended by this act, over the previous three fiscal years may
950 receive a grant of not more than four hundred thousand dollars. Grants
951 may not be used to provide services to individuals who are not indigent.

952 (d) The organization administering the program may only award a
953 grant to a nonprofit entity whose principal purpose is providing legal
954 services to individuals who are indigent, if such nonprofit entity
955 demonstrates the ability to:

956 (1) Verify at the time of meeting with an individual that such
957 potential client is indigent and meets applicable household income
958 eligibility requirements set by the entity;

959 (2) Arrange for at least one individual who has the relevant training
960 or experience and is authorized to provide legal counsel to eligible
961 indigent individuals who express an interest in applying for a
962 restraining order, to be present in the courthouse or courthouses
963 identified in response to the request for proposals or be available to meet
964 remotely during all business hours;

965 (3) To the greatest extent practicable within the funding awarded,
966 provide continued representation to eligible indigent individuals
967 throughout the restraining order process, including in court for the
968 hearing on the restraining order, when such individuals request such
969 continued representation after receiving assistance with a restraining
970 order application;

971 (4) Provide any individual in the courthouse who expresses an
972 interest in applying for a restraining order with all applicable forms that
973 may be necessary to apply for a restraining order; and

974 (5) Track and report to the organization administering the program
975 on the services provided pursuant to the program, including (A) the
976 procedural outcomes of restraining order applications filed, (B) the
977 number of instances where legal counsel was provided prior to the filing

978 of an application but not during the remainder of the restraining order
979 process, and the reasons limiting the duration of such representation,
980 and (C) information on any other legal representation provided to
981 individuals pursuant to the program on matters that were ancillary to
982 the circumstances that supported the application for a restraining order.

983 (e) In awarding grants, the organization administering the program
984 shall give preference to nonprofit entities (1) that demonstrate the ability
985 to provide legal representation to clients regarding matters ancillary to
986 the circumstances that supported the application for a restraining order;
987 (2) with experience offering legal representation to individuals during
988 the restraining order process; or (3) that can provide quality remote
989 services should courthouses be closed to the public.

990 (f) The Chief Court Administrator shall:

991 (1) Provide each grant recipient with office space, if available, in the
992 judicial district courthouse or courthouses served by such recipient
993 under the grant program to conduct intake interviews and assist clients
994 with applications for restraining orders;

995 (2) Require court clerks at such courthouses, prior to accepting an
996 application for a restraining order pursuant to section 46b-15 of the
997 general statutes, as amended by this act, to (A) inform each individual
998 filing such application, or inquiring about filing such an application,
999 that pro bono legal services are available from the grant recipient for
1000 income-eligible individuals and, if office space has been provided to the
1001 grant recipient, where the grant recipient is located in the courthouse,
1002 and (B) if cards or pamphlets containing information about pro bono
1003 legal services have been provided to the courthouse by the grant
1004 recipient, provide such a card or pamphlet to the individual; and

1005 (3) If a poster of reasonable size containing information about pro
1006 bono legal services has been provided to a courthouse served by a grant
1007 recipient, require the display of such poster in a manner that is visible
1008 to the public at or near the location where applications for a restraining
1009 order are filed in such courthouse.

1010 (g) The Chief Court Administrator shall post on the Internet web site
 1011 of the Judicial Branch where instructions for filing a restraining order
 1012 pursuant to section 46b-15 of the general statutes, as amended by this
 1013 act, are provided, information on the pro bono legal services available
 1014 from grant recipients for income-eligible individuals at the applicable
 1015 courthouses.

1016 (h) For each year that funding is provided for the program under this
 1017 section, the organization administering the program shall either
 1018 conduct, or partner with an academic institution or other qualified
 1019 entity for the purpose of conducting, an analysis of the impact of the
 1020 program, including, but not limited to, (1) the procedural outcomes for
 1021 applications filed in association with services provided by grant
 1022 recipients under the program, (2) the types and extent of legal services
 1023 provided to individuals served pursuant to the program, including on
 1024 matters ancillary to the restraining order application, and (3) the
 1025 number of cases where legal services were provided before an
 1026 application was filed but legal representation did not continue during
 1027 the restraining order process and the reasons for such limited
 1028 representations. Not later than July first of the year following any year
 1029 in which the program received funding, the organization administering
 1030 the program shall submit a report on the results of such analysis in
 1031 accordance with the provisions of section 11-4a of the general statutes,
 1032 to the joint standing committee of the General Assembly having
 1033 cognizance of matters relating to the judiciary.

1034 (i) Up to five per cent of the total amount received by the organization
 1035 administering the grant program may be used for the reasonable costs
 1036 of administering the program, including the completion of the analysis
 1037 and report required by subsection (h) of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	46b-1
Sec. 2	<i>October 1, 2021</i>	46b-15(a) and (b)
Sec. 3	<i>October 1, 2021</i>	46b-15c

Sec. 4	<i>October 1, 2021</i>	46b-16a(b)
Sec. 5	<i>July 1, 2021</i>	46b-38a(3)
Sec. 6	<i>July 1, 2021</i>	46b-38b(g)(5)
Sec. 7	<i>October 1, 2021</i>	46b-54(f)
Sec. 8	<i>October 1, 2021</i>	46b-56
Sec. 9	<i>October 1, 2021</i>	New section
Sec. 10	<i>July 1, 2021</i>	51-27h
Sec. 11	<i>July 1, 2021</i>	51-27i
Sec. 12	<i>July 1, 2021</i>	17b-112g(a)
Sec. 13	<i>July 1, 2021</i>	17b-191
Sec. 14	<i>October 1, 2021</i>	54-64a(a) and (b)
Sec. 15	<i>October 1, 2021</i>	53a-181j(a)
Sec. 16	<i>October 1, 2021</i>	53a-181k(a)
Sec. 17	<i>October 1, 2021</i>	53a-181l(a)
Sec. 18	<i>July 1, 2021</i>	46b-87
Sec. 19	<i>July 1, 2021</i>	New section
Sec. 20	<i>October 1, 2021</i>	New section
Sec. 21	<i>October 1, 2021</i>	47a-1
Sec. 22	<i>October 1, 2021</i>	47a-21(a)
Sec. 23	<i>from passage</i>	New section